

Michael A. Berta (No. 194650)
michael.berta@arnoldporter.com
Joseph Farris (No. 263405)
joseph.farris@arnoldporter.com
Andrew Hannemann (No. 322400)
andrew.hannemann@arnoldporter.com
Estayvaine Bragg (No. 341400)
estayvaine.bragg@arnoldporter.com
Arnold & Porter Kaye Scholer LLP
Three Embarcadero Center, 10th Floor
San Francisco, CA 94111-4024
Telephone: (415) 471-3100
Facsimile: (415) 471-3400

Atorneys for Defendant
ZEROO GRAVITY GAMES LLC

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

SARA OCHOA and KIMBERLY BROWN,
on behalf of themselves and those similarly
situated.

Plaintiffs,

v.

ZEROO GRAVITY GAMES LLC, a Delaware limited liability company,

Defendant.

Case No. CV 22-5896-GW-ASx

**JOINT STATUS REPORT AND
[PROPOSED] SCHEDULING
ORDER [FED. R. CIV. P. 16(b)(2)]**

JOINT STATUS REPORT

Pursuant to the Court's November 6, 2023 Order Granting Joint Stipulated Motion to Extend Stay of Case and Modify Schedule Pending Mediation (ECF No. 77), the parties file this joint status report and proposed stipulated order. Following a second in-person mediation presided over by Hon. Margaret M. Marrow of Judicate West, the parties have reached a settlement. The parties are finalizing a long-form settlement agreement, and Plaintiffs intend to file a Motion for Preliminary Approval of the Settlement. As set forth in the below stipulation, the parties request an additional sixty (60) days to finalize the long-form settlement agreement and file the Motion for Preliminary Approval of the Settlement. The parties request that the status conference set for January 18, 2024 at 8:30 a.m. be taken off calendar.

JOINT STIPULATED MOTION REGARDING PROPOSED SCHEDULE

WHEREAS, on June 6, 2023, Plaintiffs Sara Ochoa and Kimberly Brown (“Plaintiffs”), on behalf of themselves and classes of similarly-situated individuals, filed a Fourth Amended Complaint against Defendant Zeroo Gravity Games LLC (“Defendant” or “Zeroo Gravity”) (“ECF No. 54”);

WHEREAS, on July 6, 2023, Zero Gravity filed a Motion to Dismiss the Fourth Amended Complaint (ECF No. 62) (“Motion to Dismiss”);

WHEREAS, before the Motion to Dismiss was decided, the parties submitted a Joint Stipulated Motion to Stay Case and Modify Discovery Schedule Pending Mediation (ECF No. 74), which the Court granted (ECF No. 75);

WHEREAS, pursuant to the Court's Order, the action was stayed for ninety (90) days until November 13, 2023 to afford the parties an opportunity to participate in mediation and a status conference was set for November 16, 2023;

WHEREAS, on October 10, 2023, the Parties participated in a full-day, in-person mediation presided over by Hon. Margaret M. Morrow of Judicate West;

WHEREAS, on November 3, 2023, the parties submitted a second Joint

1 Stipulated Motion to Extend Stay of Case and Modify Schedule Pending Mediation
2 (ECF No. 76), which the Court granted (ECF No. 77);

3 **WHEREAS**, pursuant to the Court's order, the action was stayed for an
4 additional sixty (60) days until January 12, 2024 to afford the parties an opportunity
5 to participate in additional mediation efforts, a status conference was set for January
6 18, 2024 at 8:30 a.m., and the Court ordered the parties to submit a joint report by
7 noon on January 11, 2024;

8 **WHEREAS**, on November 14, 2023, the Parties participated in a second in-
9 person mediation presided over by Hon. Margaret M. Marrow of Judicate West;

10 **WHEREAS**, the Parties have reached a settlement following the second in-
11 person mediation presided over by Hon. Margaret M. Marrow of Judicate West;

12 **WHEREAS**, the Parties are finalizing the long-form settlement agreement, and
13 Plaintiffs intend to file a Motion for Preliminary Approval of the Settlement;

14 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED,**
15 By Plaintiffs and Defendant, by and through their attorneys, and subject to the
16 Court's approval, that:

- 17 1. The Motion for Preliminary Approval of the Settlement shall be filed by
18 March 12, 2024, with a hearing to be set for a time thereafter.
19 2. The status conference set for January 18, 2024 at 8:30 a.m. shall be taken
20 off the calendar.

21
22 Dated: January 11, 2024

ARNOLD & PORTER KAYE SCHOLER LLP

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25 By: /s/Michael A. Berta
MICHAEL A. BERTA
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27 Attorneys for Defendant
ZEROO GRAVITY GAMES LLC
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1 Dated: January 11, 2024

THE RYAN LAW GROUP

4 By: /s/Andrew T. Ryan
5 ANDREW T. RYAN

6 Attorneys for Plaintiffs
7 SARA OCHOA and KIMBERLY
8 BROWN

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1 **[PROPOSED] SCHEDULING ORDER**

2 Pursuant to the Stipulation of the Parties, it is hereby **ORDERED** that:

- 3 1. The Motion for Preliminary Approval of the Settlement shall be filed by
4 March 12, 2024, with a hearing to be set for a time thereafter.
5 2. The status conference set for January 18, 2024 at 8:30 a.m. shall be taken
6 off the calendar.

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8 Dated: _____

9 _____
10 George H. Wu
11 United States District Judge

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SIGNATURE ATTESTATION

Pursuant to Local Rule 5-4.3.4(a)(2)(i), I, Michael Berta, attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

Dated: January 11, 2024

/s/Michael A. Berta
MICHAEL A. BERTA